

MARY C. WICKHAM, County Counsel (Bar No. 145664)
RODRIGO A. CASTRO-SILVA, Senior Assistant County Counsel (Bar No. 185251)
THOMAS J. FAUGHNAN, Senior Assistant County Counsel (Bar No. 155238)
LAUREN M. BLACK, Principal Deputy County Counsel (Bar No. 192302)
500 West Temple Street, Suite 468
Los Angeles, CA 90012
Telephone: 213-974-1830
Facsimile: 213-626-7446
lblack@counsel.lacounty.gov

MANATT, PHELPS & PHILLIPS, LLP
Brandon D. Young (Bar No. 304342)
2049 Century Park East, Suite 1700
Los Angeles, CA 90067
Telephone: 310-312-4000
Facsimile: 310-312-4224
BDYoung@manatt.com

FOLEY & LARDNER LLP
Byron J. McLain, Esq. (Bar No. 257191)
555 South Flower Street, Suite 3300
Los Angeles, CA 90071
Telephone: 213-972-4500
Facsimile: 213-486-0065
bmclain@foley.com

Attorneys for Defendant COUNTY OF LOS ANGELES

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LA ALLIANCE FOR HUMAN RIGHTS, et al.,

Plaintiffs,

vs.

CITY OF LOS ANGELES, a municipal entity;
COUNTY OF LOS ANGELES, a municipal
entity; and DOES 1 through 10 inclusive,

Defendants.

Case No.: 2:20-cv-02291-DOC-KES
Assigned to Judge David O. Carter

**COUNTY PLAN TO PROVIDE
OUTREACH, HYGIENE,
SERVICES, HOUSING, OR
SHELTER PERSONS
EXPERIENCING
HOMELESSNESS NEAR
FREEWAYS**

***(JOINT FILING WITH
INTERVENORS)***

1 BROOKE WEITZMAN SBN 301037
2 WILLIAM WISE SBN 109468
3 ELDER LAW AND DISABILITY
4 RIGHTS CENTER
5 1535 E 17th Street, Suite 110
6 Santa Ana, California 92705
7 714-617-5353
8 bweitzman@eldrcenter.org
9 bwise@eldrcenter.org

CAROL A. SOBEL SBN 84483
WESTON ROWLAND SBN 327599
LAW OFFICES OF CAROL A. SOBEL
725 Arizona Avenue, Suite 300
Santa Monica, California 90401
310-393-3055
carolsobellaw@gmail.com
rowland.weston@gmail.com

7 CATHERINE SWEETSER SBN 271142
8 SCHONBRUN, SEPLOW, HARRIS & HOFFMAN
9 11543 W. Olympic Blvd.
10 Los Angeles, California 90064
11 Telephone: 310-396-7031
12 hoffpaul@aol.com
13 csweetser@sshhlaw.com

13 Attorneys for Intervenors Orange County Catholic Worker

14 Carol A. Sobel (SBN 84483)
15 LAW OFFICES OF CAROL A. SOBEL
16 725 Arizona Ave.
17 Santa Monica, California 90401
18 Tel: (31) 393-3055
19 Email: carolsobel@aol.com

19 Shayla R. Myers (SBN 264054)
20 LEGAL AID FOUNDATION
21 OF LOS ANGELES
22 7000 S. Broadway
23 Los Angeles, CA 90003
24 Telephone: 213-640-3983
25 smyers@lafla.org

Catherine Sweetser (SBN 271142)
SCHONBRUN SEPLOW HARRIS
& HOFFMAN, LLP
11543 W. Olympic Blvd.
Los Angeles, CA 90064
Telephone: 310-396-0731
catherine.sdshhh@gmail.com

24 Attorneys for Intervenors Los Angeles Catholic Worker
25 and Los Angeles Community Action Network
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1 Defendant County of Los Angeles (“County”), and intervenors Orange County
 2 Catholic Worker, Los Angeles Catholic Worker, and Los Angeles Community Action
 3 Network (collectively, the “Intervenors”) respectfully submit this joint report regarding the
 4 County plan to provide outreach, hygiene, services, housing, or shelter persons experiencing
 5 homelessness who live under freeway overpasses and underpasses, and near entrance and
 6 exit ramps in the County (“Plan”).¹ As discussed below, the County presents a plan in three
 7 parts: (1) a statement of goals, (2) the expected timeline for the implementation of the Plan,
 8 and (3) a detailed description of the material elements of the Plan.

9 The Plan reflects the current understanding of the County to address the short term
 10 and long term needs of persons experiencing homelessness near freeways. The Plan was
 11 also developed in view of the existing COVID-19 crisis and prevailing public health
 12 guidance, and the Plan may be subject to change (with consultation of this Court) if the
 13 nature of the crisis, or the local public health guidance in response to the crisis, changes.
 14 We are also proposing innovative and first-of-its-kind pilot programs for safe RV parking
 15 and safe sleep. These pilots are crucial to finding new ways to provide shelter quickly to
 16 those who need it most as well as refining a longer-term strategy as stated in the Plan.

17 The County will report back to the Court as necessary (or upon regular intervals
 18 such as every 30 days as requested by the Court) with updates, services provided, costs,
 19 and what pilot strategies worked and which were less successful, as those details emerge.

20 **I. GOALS**

21 The County has the following goals in connection with developing a strategy for
 22 addressing persons experiencing homelessness near freeways:

23 _____
 24
 25 ¹ The submission of this Plan shall not be construed as a concession or agreement conceding
 26 the validity of any of the legal theories, factual arguments, or claims related to, or assertion
 27 of jurisdiction or authority of the Court to issue, the preliminary injunction dated May 15,
 28 2020 (“Injunction”). In the event of an appeal to the Injunction, the submission of this Plan
 should not be construed as a waiver to request a stay of the litigation from the Court.

1 1. The County plans to conduct countywide outreach and identify housing
2 options to the approximately 200-350 persons experiencing homelessness near freeways
3 in unincorporated areas. The unincorporated areas are scattered throughout the County.

4 2. The County also stands willing to explore partnerships with cities—in
5 addition to the City of Los Angeles—to provide mainstream services to persons
6 experiencing homelessness near freeways. These services include health and behavioral
7 health outreach services, disability benefit advocacy services, substance abuse services,
8 and connections to benefits through the Departments of Health Services, Mental Health,
9 Public Health, and Public Social Services.

10 3. The County plans to implement an education strategy to encourage persons
11 experiencing homelessness to voluntarily move away from freeway areas following the
12 end of the COVID-19 crisis in accordance with public health guidance.

13 **II. TIMELINE**

14 The timeline for the Plan is below. This timeline includes projections based on the
15 County's current knowledge about funding and other resource availability, as well as
16 existing guidance from local public health officials concerning the COVID-19 pandemic,
17 and may be subject to change (in consultation with the Court) if public health experts alter
18 their guidance. Details concerning the Plan are provided in Part III of this filing.

Deadline ²	Action
Ongoing	Deploy outreach team to 16th and Maple for persons experiencing homelessness near freeway
Ongoing	COVID-19 testing for persons experiencing homelessness in encampments of ten or more people near freeways

25 _____
26 ² The County will advise the Court of any material delays to the proposed deadline within
27 three days' notice of a material delay. Delays caused by events beyond the control of the
28 County may result in changes to the timeline presented in this Plan. In addition, as issues
arise, the parties will meet and confer concerning the implementation of the Plan.

Ongoing	Deploy outreach for persons experiencing homelessness living in encampments near freeways to identify persons experiencing homelessness that qualify for Project Roomkey and to provide wellness checks
May 20, 2020	Start development of public education strategy to encourage individuals experiencing homelessness to voluntarily move away from freeways, to launch after end of County-declared COVID-19 emergency ends per public health guidance
May 21, 2020	County launch assessment of need to add or shift hygiene facilities to areas near freeway encampments in the unincorporated County
May 21, 2020	County to present a list to Court identifying list of sites for safe RV parking and safe sleep pilots and timeline for selection of sites
May 27, 2020	Presentation of operational protocols for safe RV parking and safe sleep pilots
May 27, 2020	Report-back due to Board of Supervisors ("Board") to provide a framework in accordance with the Board's May 12, 2020 motion entitled "Developing a COVID-19 Recovery Plan Related to People Experiencing Homelessness," which affects persons experiencing homelessness near freeways, among others
May 29, 2020	Report to Court regarding site selection plan for safe RV parking and safe sleeping pilots, with a specific timeline on anticipated dates for outreach, obtaining site clearance (which may be relevant to the extent property is not on County land), and anticipated opening date
May 29, 2020	Report back to Board of Supervisors on the development of a Comprehensive Homelessness Strategy for people age 65 and older experiencing homelessness, which would impact persons experiencing homelessness near freeways who are over age 65
One week after site clearance	Start of outreach for County safe RV pilot

One week after site clearance	Start of outreach for County safe sleep pilot
Three weeks after site clearance	Opening of County safe RV pilot
Three weeks after site clearance	Opening of County safe sleep pilot
June 14, 2020	Report back to Board of Supervisors providing complete COVID-19 Recovery Plan required under May 12, 2020 motion, which affects persons experiencing homelessness near freeways
Post COVID-19	Sustained public education to encourage voluntary movement away from freeways consistent with public health guidelines

III. PLAN DETAILS

The Plan includes a variety of immediate, short term, and long-term actions. The intent is to address hygiene and outreach needs, and deploy innovative strategies to increase the availability of shelter or alternative housing arrangements. Each material element of the Plan is listed below.

1. Hygiene.

The County will add or shift hygiene stations to homeless encampments in the unincorporated areas of the County near freeways depending on need. Such stations already exist, but the County plans to add or reallocate hygiene resources in the unincorporated County near the 605, 5, 710, 60, 10, and 91 freeways as needed.

2. Testing.

The Department of Health Services is prioritizing COVID-19 testing for persons experiencing homelessness in encampments of 10 or more individuals, including encampments located near freeways.

3. Outreach.

There is a countywide outreach system dedicated to providing an array of services including, medical and behavioral health outreach, case management, benefits enrollment,

1 education, advocacy, and transportation within each Service Planning Area to persons
 2 experiencing homelessness. The region's outreach system includes the Department of
 3 Health Services ("DHS"), Department of Mental Health ("DMH"), Los Angeles County
 4 Sheriff's Department ("LASD"), Department of Military and Veterans Affairs ("DMVA"),
 5 the Los Angeles Homeless Services Authority ("LAHSA"), and many community partners.
 6 A listing of the outreach teams deployed in the county is provided at Attachment A.

7 Relevant here, the County and LAHSA have deployed outreach teams for the
 8 express purpose of connecting people with shelter and housing, conducting wellness
 9 checks, providing health and behavioral health outreach, case management, connections
 10 with public assistance benefits, and, where applicable, identification for participation in
 11 Project Roomkey or isolation and quarantine among persons experiencing homelessness,
 12 including people living near freeways. For example, the County's Homeless Outreach
 13 Services Team ("HOST"), led by the LASD in partnership with LAHSA currently provides
 14 outreach under the freeways (605, 5, 710, 60, 10, 91) at least three times per week, as part
 15 of an effort to connect them to "Tier 1" COVID-19 placements throughout the County.

16 In addition, from May 20 to May 29, 2020, the County will specifically direct a
 17 "surge" of outreach services at two of the largest encampments with persons experiencing
 18 homelessness near freeways. This includes an encampment of over 40 people located at
 19 San Gabriel River/Valley Blvd/605 Freeway and another encampment of over 30 people
 20 located near the 10 Freeway at 16th Street and Wall Street.

21 **4. Initiate Safe RV Parking Pilot.**

22 This is the first program of its kind in the County. The County will establish an
 23 approved safe 24-hour parking site in a designated area exclusively for RVs. On-site
 24 security and restrooms will be provided, along with mobile showers and access to case
 25 management. The County will make available health and behavioral health outreach,
 26 substance abuse services, disability benefit advocacy services, and services to connect
 27 persons experiencing homelessness with public benefits. The County has identified one
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RV site. The RV pilot will accommodate approximately 15 RVs. It is also willing to partner with the City on similar sites. The RV pilot is expected to open within approximately 3-4 weeks of site clearance.

5. *Initiate Safe Sleep Pilot.*

Modeled after the pilot project at the Veterans Administration campus in West Los Angeles, this is the first safe sleep project created by any local government in the Los Angeles region. The County will establish an approved safe sleep site at a designated area located on park land. Currently, the County expects to provide safe sleep for up to 100 persons experiencing homelessness, including but not limited to persons experiencing homelessness near freeways. Participation will be voluntary.

Sleeping areas will be spaced in accordance with public health guidance. Portable toilets, handwashing stations, trash pickup, food, storage, access to showers and cleaning services and 24-hour security will be provided. The County will make available health and behavioral health outreach, substance abuse services, disability benefit advocacy services, and services to connect persons experiencing homelessness with public benefits.

6. *Housing Plans for COVID-19 Emergency Bed Occupants.*

The County and City, together, have contracts in place for over 3,000 Project Roomkey hotel or motel rooms. The City and LASHA only recently opened hotels financed by the City. The County is committed to ensuring that no County-administered Project Roomkey hotel/motel resident returns to the street. While it is the intent to enable all Project Roomkey residents to transition to permanent or other interim housing as quickly as possible, the County will pursue the extension of its current hotel/motel occupancy agreements beyond their initial three-month term to the extent necessary to enable a safe transition by Project Roomkey residents and subject to available funding.

In addition, County- and LAHSA-funded service providers will continue extended housing-focused case management services and needs assessments. The County and

1 LAHSA are in the process of identifying current housing and shelter placements for
2 individuals in Project Roomkey that are available through existing systems.

3 **7. *Public Education.***

4 Following the end of the County-declared COVID-19 emergency, the County will
5 engage in sustained public education to encourage voluntary movement away from
6 freeways. The intent is to make persons experiencing homelessness aware of the health
7 risks of living near freeways as well as services, housing, or alternative shelter available
8 to persons experiencing homelessness. The design of a public education campaign will
9 begin immediately. The County plans to use a model similar to the public health education
10 campaign it developed in response to El Nino in 2015 for people experiencing
11 homelessness who were living in river beds.

12 **8. *COVID-19 Recovery Plan Related to People Experiencing Homelessness***

13 The County is developing broader plans to address the urgent housing needs of
14 individuals living by freeways, within the context of the massive effort already underway
15 to provide outreach and shelter to people at risk from COVID 19 countywide. Specifically,
16 the County is currently developing several plans to enhance its region-wide approach to
17 support persons experiencing homelessness, including those residing near freeways. For
18 example, within seven days, the County expects the Board will receive a report back
19 providing a framework in accordance with the Board's May 12, 2020 motion entitled
20 "Developing a COVID-19 Recovery Plan Related to People Experiencing Homelessness."
21 Within 23 days, the County expects the Board will receive the COVID-19 Recovery Plan
22 for persons experiencing homelessness. Given the scope of this work, the plan is likely to
23 affect persons experiencing homelessness near freeways. The County will provide an
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1 update to the Court to the extent that the County's COVID-19 Recovery Plan affects the
2 population targeted by the Court.

3 **9. Service for City Partners.**

4 For cities in the County, the County notes that the County does not have jurisdiction
5 over the hygiene, housing, or enforcement policies within other cities. See California
6 Constitution at Art. XI, Sec. 7 ("A county or city may make and enforce within its limits
7 all local police, sanitary and other ordinances and regulations not in conflict with general
8 laws"). However, the County is actively exploring ways to provide additional services to
9 the City as well as other jurisdictions. The County is developing plans to provide a suite
10 of "mainstream" services for persons experiencing homelessness in shelter or other forms
11 of interim housing. This includes health and behavioral health outreach, disability benefit
12 advocacy services, and substance abuse services through the Departments of Health
13 Services, Mental Health, and Public Health. In addition, the County Department of Public
14 Social Services ("DPSS") could be deployed to further assist persons experiencing
15 homelessness to apply for and obtain public assistance, including EBT benefits to
16 purchase food, temporary financial assistance and employment-focused services to
17 families with minor children, Medi-Cal enrollment, and general relief (i.e., temporary
18 financial assistance for indigent adults who are otherwise ineligible for state or federally
19 funded benefits).

20 **10. City of Los Angeles**

21 Following the issuance of the Court's injunction on May 15, 2020, the parties spent
22 the last several days trying to reach an agreement regarding a joint filing. Regrettably, at
23 approximately 7:30 p.m. the day the filing was due, the City declined to participate in the
24 joint filing, stating that it could not agree out of a concern over the payment for "services"
25 at City-owned interim shelters and similar sites. The County offered to develop a package
26 of mainstream services for persons experiencing homelessness and residing in shelters
27 within the City. These services would include health and behavioral health outreach,
28

1 disability benefit advocacy services, substance abuse services, and connections to social
2 services benefits. The City rejected the County's offer.

3 The City would not agree to a shared funding arrangement as proposed by the County
4 for operational costs (such as food, laundry, security, etc.) associated with City's pilot
5 programs. The City made a similar request for all City shelters proposed under the City's
6 plan to address homelessness near freeways and for individuals currently occupying
7 COVID-19 emergency beds in the City. These demands are inconsistent with past practice.
8 In general, with the exception of Measure H funding administered by the County, the City
9 funds operational costs for interim shelter sites in the City. The City is a major recipient of
10 state and federal funds for homeless services, unlike other cities in the County (with the
11 partial exception of Long Beach).

12 In an effort to move the parties forward, the County suggested a joint funding strategy
13 with the City for certain pilot programs, leaving the issue of broader operational costs for
14 another time (perhaps with the intervention of a mediator). The City rejected that offer too.
15 The City has requested that the County dedicate additional Measure H or other County funds
16 to the City. However, Measure H funds are disproportionately spent in the City. In addition,
17 Measure H funds are already appropriated to support the City as well as other jurisdictions
18 in the region addressing homelessness.³ Despite these developments, the County will
19 continue to pursue partnerships with the City.

21 ³ Since the approval of Measure H in March 2017, the County has used Measure H revenue
22 to fund interim housing (including shelters) in the City and throughout the rest of the
23 County, as well as other core homeless services, such as outreach and rapid rehousing.
24 Where applicable, Measure H funding is allocated geographically by Service Planning
25 Area, based on the LASHA Point-in-Time Homeless Count. For strategies like interim
26 housing (which are being proposed by the City and depend on the location of facilities), a
27 disproportionate amount of Measure H funding is utilized in the City. There is no Measure
28 H funding available for the operating costs of additional shelters in the City because: (i)
all Measure H funding is currently allocated; (ii) Measure H revenue has declined sharply
due to the COVID-19 pandemic; and (iii) additional Measure H revenue will be required

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2 Dated: May 19, 2020

MARY C. WICKHAM

3
4 By: /s/ Lauren M. Black

5 Lauren M. Black
Principal Deputy County Counsel
COUNTY OF LOS ANGELES

6 Dated: May 19, 2020

MANATT, PHELPS & PHILLIPS, LLP

7
8 By: /s/ Brandon D. Young

9 Brandon D. Young
Attorneys for Defendant
COUNTY OF LOS ANGELES

10
11 Dated: May 19, 2020

FOLEY & LARDNER, LLP

12
13 By: /s/ Byron J. McLain

14 Byron J. McLain
Attorneys for Defendant
COUNTY OF LOS ANGELES

15
16 Dated: May 19, 2020

ELDER LAW AND DISABILITY RIGHTS
CENTER

17
18
19 By: /s/ Brooke Weitzman

20 Brooke Weitzman
Attorneys for Intervenor
ORANGE COUNTY CATHOLIC WORKER

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26 in FY 20-21, and each year thereafter for services in new permanent supportive housing
27 (which is also disproportionately in the City). The City has been made aware of the lack
28 of available Measure H funding. Prior to Measure H, the County did not generally fund
shelter in the City.

1 Dated: May 19, 2020

LAW OFFICES OF CAROL A. SOBEL

2
3 By: /s/ Carol A Sobel

4 Carol A Sobel
5 Attorneys for Intervenor
6 ORANGE COUNTY CATHOLIC WORKER,
7 LOS ANGELES CATHOLIC WORKER, and
8 LOS ANGELES COMMUNITY ACTION
9 NETWORK

10 Dated: May 19, 2020

LEGAL AID FOUNDATION OF
LOS ANGELES

11 By: /s/ Shayla R. Myers

12 Shayla R. Myers
13 Attorneys for Intervenor
14 LOS ANGELES CATHOLIC WORKER and
15 LOS ANGELES COMMUNITY ACTION
16 NETWORK

17 Dated: May 19, 2020

SCHONBRUN SEPLOW HARRIS & HOFFMAN,
LLP

18 By: /s/ Catherine Sweetser

19 Catherine Sweetser
20 Attorneys for Intervenor
21 ORANGE COUNTY CATHOLIC WORKER,
22 LOS ANGELES CATHOLIC WORKER,
23 and LOS ANGELES COMMUNITY ACTION
24 NETWORK

ATTACHMENT A

LISTING OF OUTREACH TEAMS

1. DHS Multidisciplinary Teams (“MDT”): Includes personnel with health, mental health, and substance use expertise, case manager, and someone with lived experience. There are approximately 60 teams throughout the County, all of whom regularly interact with persons experiencing homelessness near freeways.
2. Homeless Outreach Services Team (“HOST”): Sheriff’s Department (“LASD”) and LAHSA provide outreach to homeless encampments located in unincorporated areas and LASD contract cities, including areas near freeways . HOST provides outreach to those experiencing homelessness under the freeways (605, 5, 710, 60, 10, 91) at least three times per week, as part of an effort to connect them to “Tier 1” placements throughout the County.
3. DMH Veterans Peer Access Network (“VPAN”): Targeted outreach to homeless veterans in efforts to provide housing and services using a peer-to-peer model. The County is currently working to expand VPAN and established a collaborative public-private partnership to more effectively focus on the implementation of services to veterans.
4. DHS Countywide Benefits Entitlement Services Team (“CBEST”): Assists person experiencing homelessness to obtain sustainable income through programs such as Social Security Income (SSI) or Social Security Disability Insurance (SSDI).
5. DMH Homeless Outreach and Mobile Engagement (“HOME”): Provides countywide field-based outreach and engagement services to homeless persons and the mentally ill who live in encampments or other locations where outreach is not provided in a concentrated manner, which includes areas near freeways.
6. Housing for Health (“HFH”): Outreach for high utilizers of DHS services with complex medical and behavioral health conditions to improve the health and well-being of a vulnerable population that typically experiences long episodes of homelessness, high rates of disability, multiple untreated health conditions, and early mortality.
7. City, County, Community (“C3”): Outreach teams assist persons experiencing homelessness in Skid Row and Venice. The teams are based in Skid Row and Venice, consisting of mental health clinician, nurse, substance use counselor, LAHSA staff, and community outreach workers. This program was born out of partnership by City, County, and community organizations to share resources and provide outreach on a coordinated level.